

105.015

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245

JURY TRIAL DEMANDED
12 JURORS REQUESTED

**REPLY TO PLAINTIFF'S RESPONSE TO DEFENDANT, NATIONAL RAILROAD
PASSENGER CORPORATION a/k/a AMTRAK'S MOTION TO COMPEL**

Defendant, National Railroad Passenger Corporation a/k/a Amtrak (hereinafter "Defendant") has received three (3) correspondence/filings/responses from Plaintiff Mark Turelski apparently regarding Defendant's Motion to Compel. (Exhibit A, B, C along with Defendant's interpretation of each document/filing). Unfortunately, none of the documents submitted by the Plaintiff address Defendant's Motion and discovery requests. Specifically, Defendant's Motion was to compel Plaintiff's Rule 26 Disclosures, answers to interrogatories, responses to production of documents, and compel Plaintiff to execute HIPAA authorizations. Plaintiff has not produced any executed HIPAA authorizations nor has Plaintiff responded to Defendant's Interrogatories or Request for Production of Documents. Plaintiff provided one photograph and 3 apparent statements of a Robert Blatt in these filings. (Exhibits A, B & C). Assuming that Plaintiff's filing represents Plaintiff's 26(a) disclosures, Defendant agrees to accept same as such. However, Defendant is in need of HIPAA authorization and other supporting documents.

Plaintiff's filings imply that he will be leaving the state of Delaware in January and not returning until April or May of 2007, and that he will provide the information requested

upon his return. Unfortunately, Defendant is attempting to defend this matter, without receiving any of Plaintiff's medical records, documentation, or proof of his claims. Defendant is essentially left in the dark as to the validity of these claims and with an inability to defense same. Defendant was not notified of Plaintiff trip prior to these filings with the court.

Plaintiff's journey to Florida does not relieve him of his duties and obligations as a Plaintiff in a civil action law suit. Defendant merely requests that Plaintiff follow the discovery rules of the court and answer Interrogatories, sign HIPAA authorizations and respond to requests to produce. Plaintiff has not disclosed any documentation or medical evidence to substantiate his claim and would warrant his \$30,000,000.00 demand.

It is respectfully submitted and requested that Defendant's Motion to Compel be granted and that if Plaintiff does not provide his answers to Interrogatories, response to Requests for Production of Documents and executed HIPAA authorizations within ten (10) days of the date of the Court's Order, that Plaintiff's case should be dismissed.

WHEREFORE, National Railroad Passenger Corporation a/k/a Amtrak requests that this Court grant the previously provided order compelling Plaintiff to provide answers to discovery as outlined.

GALLAGHER & ROWAN, P.C.

By: /s/Jessica E. Gensler Lippy

JESSICA E. GENSLER LIPPY, ESQUIRE
DSB #4426
PAUL F. X. GALLAGHER, ESQUIRE
Attorney for Defendant Amtrak
SILVERSIDE CARR EXECUTIVE CENTER
501 SILVERSIDE ROAD
SUITE 94
WILMINGTON, DE 19809
(302) 798-2779

DATE: December 21, 2006

105.015

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245

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CERTIFICATE OF SERVICE

I, Jessica E. Gensler Lippy, as attorney for Defendant Amtrak in the above captioned matter, herein certify that I caused a true and correct copy of Defendant Amtrak's Reply to Plaintiff's Response to Defendant's Motion to Compel Plaintiff's Discovery Answers, to be served upon Plaintiff as listed below on December 21, 2006, via US Mail:

Mark Turulski, Sr.
P.O. Box 3145
Wilmington, DE 19804-3145

GALLAGHER & ROWAN, P.C.

By: /s/Jessica E. Gensler Lippy
JESSICA E. GENSLER LIPPY, ESQUIRE
DSB #4426
PAUL F. X. GALLAGHER, ESQUIRE
Attorney for Defendant Amtrak
SILVERSIDE CARR EXECUTIVE CENTER
501 SILVERSIDE ROAD
SUITE 94
WILMINGTON, DE 19809
(302) 798-2779

DATE: December 21, 2006

In the District Court
for the District of Columbia

Mark Tundak is plaintiff
vs
antitak defendant

Civil action
NO 06-245
GMS

attention
Jesse H. Sander
attorney for antitak

received your paper

back in the last few days.

I have informed your committee

I am currently homeless and in was
my intent to go to Florida in November
until April 2007. Currently it looks like

I am not going to escape the cold in winter
until January 07. I find your suggestion
of witnesses at this point for I believe
you already have the list of my witnesses
and wonder if this is a PR play
to try and make me look bad in the
court's eyes. I noticed you did not
include Wilmington police officer Aquella
(not sure of the spelling of his name) for he is a eye

I believe you have mostly everything
I don't have, however if you don't

I shall do my best to provide even
your wants and it is my intent
to provide what I have at hand
to you, the Judge and Jury.

Witness I would like to see at
trial are Wilmington officials, possibly
John relevant C/A records & etc.

at the Wilmington Field Police
that witness the touching of me by
a white policeman Parker,

here this satisfies your request.

so to your interrogatories you have
that information already.

The witnesses I plan to subpoena
are Wilmington Police Officer ~~James~~ Alex-
Velayquez, Dr. Ying and Dr. Gilmore VA Hospital
Wilmington, DE 19809 and my John James. However
I think my right should more be necessary. Her office
& in the author's police

③

Please note it is my intent to
supply any relevant info as necessary
@ a report meet.

Mark (unlabeled) SR

Date 12-11-06

also note I am homeless
and plan on going to fls. to
escape ~~cold~~ cold.

I shall return 4-5-06.

Please record more etc. after
that and note the picture
Mr. Sloger requested a deposition.

105.015

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245GMS

JURY TRIAL DEMANDED
12 JURORS REQUESTED

Attention Jessica Gensler attorney for Amtrak:

(Note: This is Defendant's attempt to interpret Plaintiff's filing in his handwriting).

I just received your paperwork in the case five days.

I have informed your firm that I am currently homeless and in was my intent to go to Florida in November until April 07. Unfortunately, it looks like I am not going to escape the cold on winter until January 07. I find your aggression questionable at this point for I believe you already have the list of my witnesses and wonder if this is a ploy to try to make me look bad in the Court's eyes. I noticed you did not include Wilmington police officer Aguillo (not sure of the spelling of his name) for he is an eye witness. In all fairness and as a matter of justice your firm and you should ensure that this man is present at trial. I believe you have mostly everything that I have however if you don't I shall do my best to provide everything you want and it is my intent to provide what I have at trial to you, the Judge and Jury.

PAGE 2:

Witness I would like to see at trial are Wilmington Aguillo, possibly John volunteer O/A records, etc.

Also the Wilmington field police that witness the torture of me by Amtrak policeman Larkin.

I hope this satisfies your request as to your interrogatories you have that information already. The witnesses I plan to subpoena are Wilmington police officer especially to Alex Velaquez, DZ Ying and Dr. Edmond V/A Hospital, Wilmington, DE

19809 and John Jones. However I retain my right should more be necessary. With officer Larkin Amtrak police.

PAGE 3:

Please note it is my intent to supply any relevant information as necessary at or before trial.

Signed Mark Turelski, Sr.
Date: 12-11-06

Also note I am homeless and plan on going to Florida to escape cold.

I shall return app. 4/5/06. Please schedule trial etc. after this and note the procedure Mr. Gallagher requested a deposition.

ENVELOPE REVERSE SIDE: Please note yes I do want the copies, however don't have \$29.00 at this time, Thanks, Mark

② Wilmington Delaware, I am going V/A
Hospital Wilmington Delaware and
Picture of scene that outbreak requested.

This is all I have and I hope this
satisfies the Court as to disclosure,
interrogatories and compelling questions
there is no more and if more shall become
available I shall notify is dependent as to
some.

also plaintiff notified Defendant
2 months ago that plaintiff is homeless
and was intending on going to Florida
to escape the cold in Nov 06, and
Plaintiff can see no other reason for
Defendant to start this action now
Other than to avoid judgment.

Plaintiff prays that the Court will
resolve this matter and return Defendant
to Court of Justice.

I am not intent on going to
Florida on Jan 3rd 07 and looks like
copy sent to I can now please resubmit accordingly.
Eschlagher, Rawson & Glum PC.

Siemenside Company
501 Siemenside Road Suite 94
Wilmington Delaware 19809
attention: Denise Hansen

Mark (unlabeled)
P.O. Box 3145
Wilmington, DE
19805

date 12-13-06

Criminal Action
 NO. 06-245
 BMS

In the United States
District Court for
the state of Delaware

Mark Turekian Plaintiff

25

central D. gundlachii

In accordance with 26 (a) p is classes and
comp 1 to interrogatives.

No matter, plaintiff has notified both verbally and in writing, that disclosures are to be con- sidered in original suit and as to interrogatories this has been done and sent to Plaintiff including pictures they requested.

However if it pleases the
Court I shall repeat it here.

The witness Plaintiff intends to call at trial and show an expense some one as follows. Officer Velazquez Wilmington Police who seen this happen, officers of Wilmington ^{Police} present at the ~~place~~ scene of fire, Officer Smith of Cambridge Police 121110 121110

② Wilmington Delaware, stating V/A
Hospital Wilmington Delaware and
Picture of scene that outbreak requested.

This is all I have and I hope this
satisfies the Court as to disclosure,
interrogatories and compelling questions.
There is no more and if more shall become
available I shall notify Defendant as to
same.

also plaintiff notified Defendant
2 months ago that plaintiff is homeless
and was intending on going to Florida
to escape the cold in Nov 06, and
Plaintiff can see no other reason for
Defendant to start this action now
other than to avoid judgment.

Plaintiff prays that the Court will
resolve this matter and return Defendant
to Court of Justice.

I have not intent on going to
Florida on Jan 3rd 07 and looks like
copy sent to I can now please resubmit accordingly.
Eschlagher, Rawson & Glum PC.

Siemenside Company
501 Siemenside Road Suite 94
Wilmington Delaware 19809
attention:
Terence H. Hester

Mark (unlabeled)
P.O. Box 3145
Wilmington, DE
19805

Date 12-13-06

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245GMS

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12 JURORS REQUESTED

(Note: This is Defendant's attempt to interpret Plaintiff's filing in his handwriting).

In accordance with 26(a) Disclosures and Compel to Interrogatories.

To with: Plaintiff has notified both verbally and in writing that disclosures are to be combined in original suit and as to interrogatories this has been done and sent to Plaintiff including pictures thus requested.

However if it pleases the court I shall repeat it here.

The witnesses Plaintiff intend to call at trial and plan on subpoena some are as follows. Officer Velasquez Wilmington police who seen this happen, officers of Wilmington police, prisoners at the field office , Officer Larkin (amtrak police) Doctor Edward V/A Wilmington, Delaware, Doctor Ying V/A Hospital Wilmington Delaware and picture of scene that Amtrak requested.

This is all I have an I hope this satisfies the court as to disclosures, interrogatories and compelling questions there is no more and if more should become available I shall notify defendants as to same.

Also Plaintiff notified Defendant 2 months ago that Plaintiff is homeless and was intending on going to Florida to escape the cold in Nov. 06 and plaintiff can see no other reason for Defendant to start this action now other than to avoid justice.

Plaintiff prays that the court will resolve this matter and report Defendant to Court of Justice way.

Please note I intent on going to Florida on Jan 3rd 07 and looks like I can now so please schedule accordingly.

Copy sent to:

Gallagher, Rowan & Egbert, P.C.

SILVERSIDE CARR EXECUTIVE CENTER

501 SILVERSIDE ROAD

SUITE 94

WILMINGTON, DE 19809

Attention: Jessica Gensler

12-14-06

In the District Court
for the State of Delaware

Mark Turelska Plaintiff
vs

amtrak D. J. Gendron

Circulation.
m. 06 - 245

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2006 DEC 15 PM 12:42
RD scanned
M. D.

Please enter as part of the court record and a part of evidence exhibit A, B, C - Voluntary Extradition
Late March 23rd 06 of Robert Blatt who was a eye witness.
in this. Defendant was giving copy of this at deposition.

and now I am
on returning from Florida.

4-14-07

Thank you,
most sincerely.

~~Mary B. Duvall~~

MARY B. DUVAL
 NOTARY PUBLIC
 STATE OF DELAWARE
 My Commission Expires March 27, 2008

EXHIBIT

A

5-23-06

MS

Robert Blatt

see Mr. Jochen of amtrak
 put the hand cuffs on Mark

Tumelski's on or about 3-20-04

and that the cuffs were so

tight that Mark Tumelski's

left wrist was bleeding

and that he was put in

the cell with the door closed

and cuffs on and before his

work out left there for approx. 8 hrs

and also seen Mark Tumelski's

suffer extreme mental and physical

pain caused by Mr. Jochen on that

day and also seen (signed) Robert Blatt

Officer Delaney witnessed Mark Tumelski's

12-11-06 Mark Tumelski's

Exhibit B 5-22-06

I Robert B. Coit
remember the magistrate
on that day or next day
order Mark Turelski's
and Robert B. Coit to
stay away from court
including the T. Coit
station.

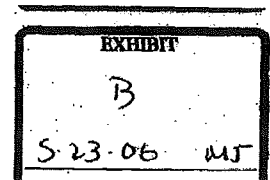
Mary B. Duvall

MARY B. DUVALL
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires March 27, 2008

Signed
Robert B. Coit

Witnessed

Mark Turelski's



5-22-06

I Robert B. Blatt

do hereby state that
I witnessed the abuses
and touching of Mark Tundak
and saw the road from
the handcuffs of
Mark Tundak.

Robert Blatt
Signed
Robert Blatt

Witness Mark Tundak

12-14-06

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245GMS

(Note: This is Defendant's attempt to interpret Plaintiff's "filing" in his handwriting).

PAGE 1

Please enter as part of the court record and a part of my evidence Exhibit A, B, C. Notarized evidence date March 23rd 06 by Robert Blatt who was an eye witness to this. Defendant was given copy of this at deposition.

Thank you:

Mark Turulski, Sr.

Please note I plan on returning from Florida 4-14-07

PAGE 2

EXHIBIT A: 5-23-06

I, Robert Blatt did see Mr. Larkin of Amtrak put the handcuffs on Mark Turulski on or about 3-20-04 and that the cuffs were so tight that Mark Turulski's left wrist was bleeding and that he was put in the cell with the door closed and cuffs on behind his back and left there for app. 8 hours and also seen Mark Turulski suffer extreme mental and physical pain caused by Mr. Larkin on that day and also seen officer Valequez take them off.

(Signed)

Robert Blatt

Witnessed:

Mark Turulski Sr.

12-14-06 Mark Turulski Sr.

PAGE 3

EXHIBIT B: 5-22-06

I Robert Blatt remember the Magistrate on that day and next day order Mark Turulski and Robert Blatt to stay away from Amtrak including the train station.

Signed

Robert Blatt

(notarized by Mary B. Duvall, Notary
Public State of Delaware
commission expires 3/27/08)

Witnessed:

Mark Turulski, Sr

PAGE 4

EXHIBIT C: 5-22-06

I Robert Blatt do hereby states that I witnessed the abuses and torture of Mark Turulski and seen the blood from the handcuffs of Mark Turulski Sr.

Robert Blatt
Signed

Robert Blatt

Witness:

Mark Turulski Sr.